

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LEON LATIF BROWN,	:	CIVIL ACTION N. 1:11-CV-1734
Plaintiff	:	
	:	(Judge Conner)
v.	:	
	:	
CRAIG A. CULP, et al.,	:	
Defendants	:	

ORDER

AND NOW, this 25th day of October, 2011, upon consideration of the Report and Recommendation of the Honorable Thomas M. Blewitt dated October 7, 2011 (Doc. 8), the Court hereby REJECTS the Report and Recommendation. The Report and Recommendation fail to address the issue of providing leave to amend or the futility of amendment.

This matter is REMANDED to the Magistrate Judge for further proceedings to address the issue of leave to amend. See Alston v. Parker, 363 F.3d 229, 235 (3d Cir. 2004); Grayson v. Mayview State Hospital, 293 F.3d 103, 108 (3d Cir. 2002); Shane v. Fauver, 213 F.3d 113, 116-17 (3d Cir. 2000).

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge